

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KATHLEEN BROWN,

Civil Action No. 03-224

Plaintiff,

v.

COST COMPANY,

Defendant.

FILED
U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
OCT 28 PM 4:08
BY: [illegible]

**PLAINTIFF'S MOTION FOR FIFTEEN-DAY ENLARGEMENT OF TIME IN WHICH TO
FILE BRIEF IN SUPPORT OF AMENDED MOTION FOR NEW TRIAL PER F.R.C.P.**

59

Plaintiff, Kathleen Brown, moves this Honorable Court for an enlargement of fifteen (15) days in which to file her brief in support of her amended motion for new trial per F.R.C.P. 59, for the reasons set forth below.

1. By Order dated August 10, 2005, this Court directed the plaintiff to file her brief in support of her amended motion for new trial per F.R.C.P. within fourteen days of the filing of the trial transcript.
2. Because the trial transcript was filed on October 17, 2005, the Plaintiff is currently subject to a deadline of October 31, 2005 for the filing of her brief.
3. Since October 17, 2005, Plaintiff has been at trial in the case of Norris v. UPMC, 02-49 (WDPA). The evidence phase of the trial lasted through October 27, 2005, and arguments on the Defendant's motion for judgment as a matter of law did not conclude until late in the morning on October 28, 2005. Consequently,

counsel has had no opportunity to read the trial transcript in the instant case, let alone prepare a brief in support of the amended motion for new trial.

4. Counsel therefore requests an enlargement of fifteen (15) days in which to prepare her brief in support of her amended motion for new trial per F.R.C.P. 59.

WHEREFORE, Plaintiff respectfully requests that the Court enlarge by fifteen (15) days the deadline for the filing of her brief in support of her amended motion for new trial per F.R.C.P. 59.

Respectfully submitted,


/s/ Richard S. Matesic

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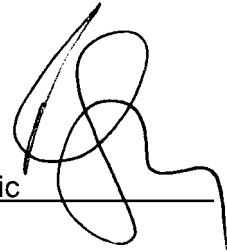
CERTIFICATE OF SERVICE

I, Richard S. Matesic, hereby certify that on October 28, 2005, I electronically filed the foregoing Plaintiff's Motion for an enlargement of fifteen (15) days in which to file her brief in support of her amended motion for new trial per F.R.C.P. 59 with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

Michael J. Pawk, Esquire
LUTZ, PAWK & McKAY
The Morgan Center Building
Suite 102
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Butler, PA 16001
lpm@zoominternet.net

Date: October 28, 2005

/s/ Richard S. Matesic
Richard S. Matesic

A handwritten signature in black ink, appearing to be 'R. Matesic', written over a horizontal line.